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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# **TERMINAL DISCLAIMER TO OBIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT**

Docket Number (Optional)  
P-1592-US1

In re Application of: YELLIN, Daniel  
Application No. 09/493,004  
Filed: January 28, 2000  
For: METHOD AND DEVICE FOR QUANTIZING THE INPUT TO  
DECODERS

MAY 25 2001

Technology Center 2100

The owner, D.S.P.C. TECHNOLOGIES LTD. of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,047,035. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record.

05/24/2001 HDAHTE1

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*Vladimir Sherman* May 22, 2001  
Signature Date

Vladimir Sherman Registration No. 43,116

Typed or printed name

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

\*Certification under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

2133#

S/N: 09/493,004

PATENT

RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 25 2001

Technology Center 2100

Applicant: YELLIN, Daniel Examiner: Phung M. Chung  
Serial No.: 09/493,004 Group Art Unit: 2133  
Filed: January 28, 2000 Attorney Docket No.: P-1592-US1  
Title: METHOD AND DEVICE FOR QUATIZING THE INPUT TO SOFT  
DECODERS

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**SUBMISSION OF TERMINAL DISCLAIMER**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This communication is in response to an Office Action mailed December 22, 2000. It is submitted on May 21, 2000, and thus a two-month extension of time is required. Applicant has attached a petition for a two-month extension of time and also herein requests a two-month extension to respond. Please charge the two-month extension fee, and any other fees associated with this paper, to deposit Account No. 05-0649 (EPL&C). Accordingly, this Communication is being timely filed.

Kindly review and enter into the record attached and executed form PTO/SB/26.

Claims 1-32 are rejected.

Claims 1-32 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims (1-18) of prior United States Patent No. 6,047,035.

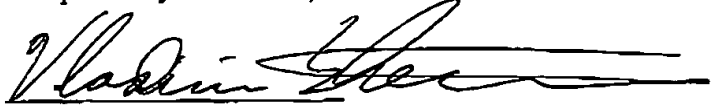
In response, Applicant has attached a Terminal Disclaimer in compliance with 37 CFR 1,321 (b) and (c), which should obviate the Examiner's rejections of claims 1-32.



S/N: 09/493,004PATENT

In view of the above remarks, it is submitted that the Application is now in condition for allowance. Prompt notice of allowance is respectfully requested.

Respectfully submitted,



Vladimir Sherman

Attorney for Applicant(s)

Registration No. 43,116

Dated: May 20, 2001

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